Application No.: 10/598,789

#### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

#### LISTING OF CLAIMS:

1. (previously presented): An indole derivative represented by general formula (1):

wherein R<sup>1</sup> represents a functional group for alkylating DNA; R<sup>2</sup> represents a hydrogen atom, an alkyl group, or an acyl group; and X represents a divalent group having two or more constitutional units which may be the same or different, the constitutional unit being represented by the following formula:

(wherein m is an integer of 0 to 10), wherein among the constitutional units, a terminal constitutional unit adjacent to R<sup>2</sup> may be a constitutional unit represented by the following formula:

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(wherein k is an integer of 0 to 10).

## AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

2. (previously presented): The indole derivative according to claim 1, wherein R<sup>1</sup> is represented by the following formula:

(wherein in formula (4), R<sup>3</sup> represents a hydrogen

atom, a peptide chain, a carbohydrate chain, or a polyethylene glycol group; and E represents an elimination group selected from the group consisting of a halogen atom, a mesyl group, and a tosyl group).

- 3. (Original) The indole derivative according to claim 1, wherein R<sup>2</sup> represents an acetyl group.
- 4. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-1):

5. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-2):

AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

6. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-3):

7. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-4):

# AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

8. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-5):

9. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-6):

10. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (3-7):

AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

11. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (4-1):

12. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (4-2):

AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

13. (previously presented) The indole derivative according to claim 3, wherein the indole derivative is represented by formula (4-3):

- 14. (Original) An alkylating agent for alkylating DNA, wherein the alkylating agent is composed of the indole derivative according to claim 1.
- 15. (Original) The alkylating agent for alkylating DNA according to claim 14, wherein the indole derivative has a hairpin structure and thus recognizes DNA.
- 16. (Original) The alkylating agent for alkylating DNA according to claim 14, wherein the indole derivative dimerizes to recognize DNA.
- 17. (currently amended): The alkylating agent for alkylating DNA according to claim 14, wherein the alkylating agent <u>further</u> contains a compound having two or more constitutional units which may be the same or different, the constitutional unit being represented by the following formula:

## AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

$$\begin{bmatrix}
N \\
N
\end{bmatrix}$$
or
$$\begin{bmatrix}
N \\
N
\end{bmatrix}$$

(wherein n is an integer of 0 to 10), wherein among the constitutional units, a terminal constitutional unit adjacent to an N-terminus may be a constitutional unit represented by the following formula:

Attorney Docket No.: Q96589

(wherein q is an integer of 0 to 10).

Claims 18 - 20. (canceled)

- 21. (currently amended): An alkylating agent for alkylating DNA, wherein the alkylating agent is composed of the indole derivative according to claim 1., wherein alkylating agent suppress or activates the expression of an oncogene.
  - 22. (currently amended): An indole derivative represented by general formula (1):

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AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

wherein R<sup>1</sup> represents a functional group for alkylating DNA; R<sup>2</sup> represents a hydrogen atom, an alkyl group, or an acyl group; and X represents a divalent group having one constitutional unit, the constitutional unit being represented by the following formula:

23. (currently amended) The indole derivative according to claim 22, wherein R<sup>1</sup> is represented by the following formula:

hydrogen atom, a peptide chain, a carbohydrate chain, or a polyethylene glycol group; and E

AMENDMENT UNDER 37 C.F.R. § 1.116

Application No.: 10/598,789

Attorney Docket No.: Q96589

represents an elimination group selected from the group consisting of a halogen atom, a mesyl group, and a tosyl group).

- 24. (previously presented): The indole derivative according to claim 1, wherein R<sup>2</sup> represents an acetyl group.
- 25. (previously presented) An alkylating agent for alkylating DNA, wherein the alkylating agent is composed of the indole derivative according to claim 22.